

Appl. No. 10/616,852
Paper dated December 5, 2005
Reply to Office Action dated September 14, 2005

REMARKS

Reconsideration of the above-identified application in view of the foregoing amendments and following remarks is respectfully requested.

A. Status of the Claims and Explanation of Amendments

Claims 1-32 are pending. By this paper, claims 1-6, 8-19 and 21-32 are amended to address various formal matters. None of these amendments is made for any substantial reason related to patentability (§§102 or 103). It is respectfully asserted that no new matter will be added to this application by entry of these amendments. Entry is requested.

As to formal matters, the office action rejected claims 1, 8, 14, 21 and 27 pursuant to 35 U.S.C. § 112, ¶2 as allegedly being indefinite. [9/14/05 Office Action at p. 2]. By this paper, these claims are amended to recite, *inter alia*, “the processing means is configured to respond to an alarm signal, received by said communication means, to modify the acceptance criteria.” Applicants respectfully assert that the scope of this claim language would be sufficiently clear to one of ordinary skill at the relevant time. Withdrawal of the rejection is requested.

Also, a non-statutory double patenting rejection was lodged against claims 1-32 as allegedly being unpatentable over claims 1-33 of U.S. Patent No. 6,772,487. [9/14/05 Office Action at p. 4]. With this paper, submitted is a terminal disclaimer. Withdrawal of this rejection is requested.

As to the merits, claims 1-32 were rejected pursuant to 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent Publication 2005/0148387 to Baltz et al. (“Baltz.”)

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in view of U.S. Patent No. 5,730,272 to Dobbins et al. ("Dobbins"). [9/14/05 Office Action at pp. 2-3].

B. Claims 1-32 are Patentably Distinct from Baltz in view of Dobbins

The rejection of claims 1-32 is respectfully traversed. As explained more fully more, the requirements for such rejections are not met.

Applicants' claim 1 recites:

An acceptor for money items or the like comprising:
sensing means for sensing parameters of an item submitted to the acceptor,
processing means for determining acceptability of the item submitted to the acceptor in the basis of an acceptance criteria using the parameters therof sensed by the sensing means, and
communication means, associated with the processing means, and adapted to send and receive alarm signals from the acceptor and from other acceptors,
wherein the processing means is configured to respond to a condition indicative of a fraud attempt by sending an alarm signal using said communication means and
wherein the processing means is configured to respond to an alarm signal, received by said communication means, to modify the acceptance criteria.

The office action argues that it would have been obvious to replace the currency discrimination system of Baltz with that of Dobbins. It is further argued that it would have been obvious to communicate alterations in coin acceptance criteria to other gaming machines using Baltz's network. Applicants respectfully disagree.

Baltz is directed to cashless actuated gaming with a gaming network (100) having several gaming machines (102-106). Each gaming machine 102-106 has a coin acceptor (114), a bill validator/ticket reader (116), and a ticket printer (118). A network interface (112) is

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provided to allow the gaming machines to communicate with a central authority (120). As discussed in paragraphs 20 and 27, Baltz's central authority including a ticketing database (122) and a network interface (124). When a player chooses to leave a particular gaming machine, the machine communicates with the central authority to print a ticket which indicates the player's credit level. The player can then insert this ticket into a new machine if he wishes to continue gaming.

The office action concedes that Baltz fails to disclose Applicants' sensing means or processing means. [9/14/05 Office Action at p. 3]. The office action appears to allege, however that Baltz's interfaces (112, 124) correspond to Applicants' communication means. This is incorrect.

In Baltz's system, information concerning the printed ticket is sent back to the central authority (120) if the ticket is printed successfully, where the information is stored in the ticketing database (122). Referring to Baltz's paragraph 32, when the printed ticket is entered into a new gaming machine, the new machine communicates with the ticketing database to determine if the ticket is a duplicate. If the ticket is not a duplicate, the system determines the status, as recorded in the ticketing database, to ascertain whether the ticket still is redeemable.

Therefore, Baltz's method of information transfer between gaming machines takes place in two definite and discrete stages. In order for information to be transferred from one gaming machine to another, a recipient machine must first request the information from the central authority. The transfer of information is entirely dependent upon a central authority, which stores the information in a database. There is no direct transfer of information via a direct link between gaming machines. Moreover, the information is only transferred to the recipient

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machine, and not all of the gaming machines on the network. Accordingly, Baltz fails to teach, disclose or suggest "communication means, associated with the processing means, and adapted to send and receive alarm signals from the acceptor and from other acceptors" as recited in Applicants' claim 1.

The office action does not allege that Dobbins discloses Applicants' communication means. Accordingly, as Applicants cannot find the communication means of claim 1 in Baltz or Dobbins, at least independent claims 1, 8, 14, 21, and 27, and their dependent claims 2-7, 9-13, 15-20, 22-26, and 28-32 are respectfully asserted to be in condition for allowance.

Applicants have chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. These statements should not be regarded in any way as admissions that the cited documents are, in fact, prior art. Likewise, Applicants have chosen not to swear behind Baltz cited by the office action at this time. Applicant, however, reserves the right, as provided for under 37 C.F.R. 1.131, to do so in the future as appropriate.

Finally, Applicants have not specifically addressed the rejections of the dependent claims. Applicants respectfully submit that the independent claims, from which they depend, are in condition for allowance as set forth above. Accordingly, the dependent claims also are in condition for allowance. Applicant, however, reserves the right to address such rejections of the dependent claims in the future as appropriate.

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CONCLUSION

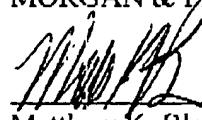
For the above-stated reasons, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 1193-4049.

Respectfully submitted,
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Dated: December 5, 2005

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